## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

THE OHIO CASUALTY INSURANCE COMPANY,	)	
Plaintiff,	)	
vs.	)	Case No. 4:05 CV 5 JCH
	)	Cuse 110. 4.03 C V 3 JC11
CITY OF MOBERLY, MISSOURI, and COMBS CONSTRUCTION COMPANY, INC.,	)	
Defendants.	)	

## **JUDGMENT**

Pursuant to the Memorandum and Order entered this day and incorporated herein,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that Defendant City of Moberly's Motion for Summary Judgment on Count I is **GRANTED**, and Plaintiffs' claims are dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that Defendant City of Moberly's Motion to Dismiss Counts II and III is **GRANTED**, and Plaintiffs' claims are dismissed with prejudice.

**IT IS FURTHER ORDERED** that Defendant Combs is dismissed as a party to this case.

Dated this 7th day of October, 2005.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE